

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ALONZO D. JONES, SR.	:	
	:	Civil Action No: 19-cv00229-JEJ
v.	:	
	:	JURY TRIAL DEMANDED
COUNTY OF YORK, et al.	:	

**DEFENDANTS, CHIEF MARK BENTZEL AND OFFICER PATRICK
GARTRELL'S MOTION FOR SUMMARY JUDGMENT PURSUANT TO
FED.R.CIV.P. 56**

Defendants, Chief Mark Bentzel and Officer Patrick Gartrell, by and through their undersigned counsel, Marshall Dennehey Warner Coleman & Goggin and Christopher Boyle, Esquire, file this Motion for Summary Judgment pursuant to Fed.R.Civ.P. 56(c) and aver:

1. Plaintiff instituted this action by filing a Complaint in the United States District Court for the Middle District of Pennsylvania on February 8, 2019.
2. Plaintiff's Complaint alleges violation of his civil rights pursuant to 42 U.S.C. § 1983 and a *Monell* claim.
3. Discovery was undertaken and completed by the Parties, consistent with the Court's Case Management Order.
4. Plaintiff has failed to develop any evidence to establish a *Monell* claim.

5. Plaintiff has failed to establish a claim of malicious prosecution.
6. Chief Bentzel and Officer Gartrell are entitled to qualified immunity.
7. For the reasons more fully set forth in the Defendants' Statement of Material Undisputed Fact and Memorandum of Law, attached hereto and incorporated herein by reference, Plaintiff's Complaint, as to the Moving Defendants, should be dismissed with prejudice.

WHEREFORE, Defendants, Chief Mark Bentzel and Officer Patrick Gartrell, respectfully request that the Court dismiss Plaintiff's Complaint, with prejudice, and enter the Order attached hereto.

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

BY: 

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DATE: November 1, 2019
LEGAL/125853683.v1

CERTIFICATE OF SERVICE

I, Christopher Boyle, Esquire, do hereby certify that a true and correct copy of Defendants', Chief Mark Bentzel and Officer Patrick Gartrell's Partial Motion for Summary Judgment was electronically filed with the Court this date and is available for viewing and downloading from the ECF System.

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

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